

# CALIFORNIA STATE BOARD OF EDUCATION

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## OCTOBER 2003 INFORMATION MEMORANDUM

DATE: September 30, 2003  
TO: Members, State Board of Education  
FROM: Greg Geeting, Assistant Executive Director

SUBJECT: <b>Academy of Culture and Technology (ACT) Petition to Become a State Board-Chartered School</b>
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### Background

At its meeting in July 2002, the Advisory Commission on Charter Schools (ACCS) recommended that the State Board of Education approve the petition by the Academy of Culture and Technology (ACT) to become a State Board-chartered school, subject to a number of conditions. The ACCS' recommendation came on a split vote (with the State Superintendent's designee voting against the motion). The State Board then considered the ACT petition at its September 2002 meeting, encouraging the ACT petitioner to make some revisions to the petition and submit it again to the Pomona Unified School District. The State Board agreed to consider the revised petition if not approved locally.

The revised ACT petition was considered and denied by the Pomona Unified School District on January 14, 2003. The State Board then considered the revised petition at its March 2003 meeting. Only six members were present when the agenda item was presented, and President Hastings discerned from the discussion that the members present were not unanimous in their thinking. Therefore, he directed that the matter be postponed to a future meeting.

Tomas Ursua, ACT's principal petitioner, has now asked that the petition be scheduled for consideration at the State Board's November 2003 meeting. In an e-mail message on September 15, 2003, he indicated:

"...We have no new information to submit, other than a synopsis of our past meetings, where we will try to assert that every major item of concern has been met, or will be subject of contingencies required to be met, prior to our school opening. (I will send you that by Monday of next week.)

"At this stage, we are not assuming an opening date of July 2004 -- 2005 would be the more reasonable assumption, but I will confirm this with you prior to our meeting date."

Mr. Ursua had not provided further information as of the time this information memorandum was prepared.

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Attachment 1 is the CDE staff analysis of the ACT petition presented to the State Board at the March 2003 meeting, except that all dates have been advanced one year in keeping with Mr. Ursua's comment that the school's opening would likely be deferred to July 2005. In the agenda item, CDE staff said:

“We continue to have many of the same concerns that were originally described regarding this petition with regard to the educational program and governance structure of the school. These issues are discussed in detail under Findings 1 and 2...

“If the State Board approves this petition, we recommend that it do so for [an initial term of three years from the date operations commence]...”

Attachment 2 is the ACT petition as it appeared in the State Board's March 2003 agenda.

**Contacts for Additional Information**

If you have any questions about this memorandum or the attached documents, please contact:

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[Attachments](#)